



United States  
Department of  
Agriculture

Office of the General Counsel  
1400 Independence Ave. SW  
Washington, DC 20250-1400

November 21, 2019

**Delivered via Electronic Mail**

Katherine Anthony  
American Oversight  
1030 15<sup>th</sup> Street NW, Suite B255  
Washington, DC 20005  
[foia@americanoversight.org](mailto:foia@americanoversight.org)

**RE: Freedom of Information Act (FOIA) Request 2019-OSEC-06636-F  
Final Response**

Dear Ms. Anthony:

This is the Departmental FOIA Office's (DFO) final response to the above-referenced FOIA request seeking the following:

1. All records reflecting any delegation of any statutory or regulatory authority of USDA to Brandon Lipps or any official serving—on an acting or permanent basis—in the position of (1) Deputy Undersecretary of Food, Nutrition & Consumer Services, (2) Administrator of the Food and Nutrition Service, or (3) Undersecretary of Food, Nutrition & Consumer Services.

For item 1 of this request, please provide all responsive records from April 25, 2017, through the date a search is conducted.

2. All records reflecting any delegation of any statutory or regulatory authority of USDA to the position of (1) Deputy Undersecretary of Food, Nutrition & Consumer Services, (2) Administrator of the Food and Nutrition Service, or (3) Undersecretary of Food, Nutrition & Consumer Services.

3. Copies of any job descriptions for the positions of (1) Deputy Undersecretary of Food, Nutrition & Consumer Services or (2) Undersecretary of Food, Nutrition & Consumer Services.

For items 2 and 3 of this request, please provide all responsive records that were or are **in effect** from April 25, 2017, through the date a search is conducted, regardless of when they were created or implemented.

Your request has been processed under the FOIA, 5 U.S.C. § 552.

A search for responsive records was performed by USDA's Office of Human Resources Management (OHRM). The OHRM facilitates the attainment of the Department's strategic goals and program objectives by ensuring the recruitment and retention of a diverse, highly-skilled workforce that is aligned with program needs as well as to promote a competency-based

and results-oriented performance culture at USDA. Seventeen (17) pages of responsive records were uncovered. However, three of those pages were released to American Oversight in separate FOIA requests: The Requests for Senior Executive Service Appointing Authority, dated June 13, 2017, and July 17, 2019, were released to American Oversight in fulfillment of FOIA request 2019-OSEC-06595-F. Additionally, the Standard Form 50, dated August 18, 2019, was released to American Oversight in fulfillment of FOIA request 2019-OSEC-06599. Thus, to avoid duplicate productions, fourteen (14) pages of responsive records are being released here.

Following a review of the responsive records, the DFO has determined that certain information contained therein should be withheld pursuant to 5 U.S.C. §552(b)(6) (FOIA Exemption 6). Below is an explanation of the information that has been withheld.

### **FOIA Exemption 6**

Exemption 6 generally is referred to as the “personal privacy” exemption. It provides that the disclosure requirements of FOIA do not apply to “personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” Application of the exemption involves balancing the public’s interest in disclosure against individuals’ privacy interests. For purposes of the FOIA, the public interest is advanced when disclosure of the requested information educates the public about the activities of the government.

The information withheld under Exemption 6 consists of the following information relating to Brandon Lipps: social security number, date of birth, information relating to retirement plans, veteran’s preference, and annuity. Additionally, the written signature of Chris Young, Deputy Chief of Staff of Operations, was redacted under Exemption 6. All of these items fall under the category of “similar files” because the information applies to a particular individual. This information is purely personal in nature, and the withheld information pertaining to Mr. Lipps is not pertinent to his official duties. Because there is a viable privacy interest in this information and no outweighing public interest to be advanced by disclosure, Exemption 6 authorizes the DFO to withhold these items from release.

You may appeal this response by email at [USDAFOIA@usda.gov](mailto:USDAFOIA@usda.gov), or by mail to Inga Bumbary-Langston, Deputy General Counsel, Room 101-W, Jamie L. Whitten Federal Building, U.S. Department of Agriculture, 1400 Independence Avenue, S.W., Washington, D.C. 20250-0103. Your appeal must be in writing, and it must be received no later than 90 calendar days from the date of this letter. The OGC will not consider appeals received after the 90 calendar-day limit. Appeals received after 5:00 p.m. EST will be considered received the next business day. The appeal letter should include the FOIA tracking number listed above, a copy of the original request, the DFO’s response to your original request, and a statement explaining the basis of your appeal. For quickest possible handling, the subject line of your email, the appeal letter, and its envelope, if applicable, should be marked “Freedom of Information Act Appeal.”

You may seek dispute resolution services from the DFO’s FOIA Public Liaison, Ms. Camille Aponte. Ms. Aponte may be contacted by telephone at 202-690-5260 or electronically at [Camille.Aponte@usda.gov](mailto:Camille.Aponte@usda.gov) or [USDAFOIA@usda.gov](mailto:USDAFOIA@usda.gov).

**Katherine Anthony**

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Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about its FOIA mediation services. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll-free at 1-877-684-6448; or facsimile at 202-741-5769.

If you have any questions regarding this letter, please contact 202-694-5982 or [USDAFOIA@usda.gov](mailto:USDAFOIA@usda.gov).

Sincerely,

*Alexis R. Graves*

Alexis Graves  
Departmental FOIA Officer  
Office of the General Counsel

Enclosure: Responsive Records (14 pages)

# NOTIFICATION OF PERSONNEL ACTION

2019-OSEC-06636-F

1. Name (Last, First, Middle) LIPPS, BRANDON RAY				2. Social Security Number (b) (6)		3. Date of Birth (b) (6)		4. Effective Date 07/19/17			
FIRST ACTION				SECOND ACTION							
5-A. Code 146		5-B. Nature of Action SES NONCAREER APPT				6-A. Code		6-B. Nature of Action			
5-C. Code V4L		5-D. Legal Authority 5 USC 3394(A)				6-C. Code		6-D. Legal Authority			
5-E. Code AWM		5-F. Legal Authority OPM FORM 1652				6-E. Code		6-F. Legal Authority			
7. FROM: Position Title and Number						15. TO: Position Title and Number ADMINISTRATOR ES98021 98021					
8. Pay Plan		9. Occ. Code		10. Grade or Level		11. Step or Rate		12. Total Salary		13. Pay Basis	
16. Pay Plan ES		17. Occ. Code 0301		18. Grade or Level 00		19. Step or Rate 00		20. Total Salary/Award 179,700.00		21. Pay Basis PA	
12A. Basic Pay		12B. Locality Adj. .00		12C. Adj. Basic Pay		12D. Other Pay .00		20A. Basic Pay 179,700.00		20B. Locality Adj. .00	
								20C. Adj. Basic Pay 179,700.00		20D. Other Pay .00	
14. Name and Location of Position's Organization						22. Name and Location of Position's Organization FOOD AND NUTRITION SERVICE  AG 300000000000000000 PP 14 2017					
EMPLOYEE DATA											
23. Veterans Preference (b) (6) 1 - None 3 - 10-Point/Disability 5 - 10-Point/Other 2 - 5-Point 4 - 10-Point/Compensable 6 - 10-Point/Compensable/30%						24. Tenure (b) (6) 0 - None 2 - Conditional 1 - Permanent 3 - Indefinite		25. Agency Use		26. Veterans Preference for RIF (b) (6)	
27. FEGLI (b) (6) BASIC						28. Annuitant Indicator (b) (6) NOT APPLICABLE				29. Pay Rate Determinant 0 NOT APPLICABLE	
30. Retirement Plan (b) (6)				31. Service Comp. Date (Leave) (b) (6)		32. Work Schedule F FULL TIME		33. Part-Time Hours Per Biweekly Pay Period			
POSITION DATA											
34. Position Occupied 3 1 - Competitive Service 3 - SES General 2 - Excepted Service 4 - SES Career Reserved				35. FLSA Category E E - Exempt N - Nonexempt		36. Appropriation Code				37. Bargaining Unit Status 8888	
38. Duty Station Code 51-0040-510				39. Duty Station (City - County - State or Overseas Location) ALEXANDRIA ALEXANDRIA VA							
40. Agency Data		41.		42.		43.		44.			
45. Remarks APPOINTMENT IS INDEFINITE. VETERAN PREFERENCE IS NOT APPLICABLE TO THE SENIOR EXECUTIVE SERVICE. APPOINTMENT AFFIDAVIT EXECUTED 07/19/2017 CREDITABLE MILITARY SERVICE: (b) (6) PREVIOUS RETIREMENT COVERAGE: (b) (6) EMPLOYEE IS AUTOMATICALLY COVERED UNDER FERS, FERS-RAE OR FERS - FRAE. EMPLOYEE SUBJECT TO POST-EMPLOYMENT RESTRICTIONS UNDER 18 U.S.C. 207(C). THE PAY RATE OF AN EMPLOYEE OCCUPYING A POSITION SUBJECT TO THE PAY FREEZE FOR CERTAIN SENIOR POLITICAL OFFICIALS SHALL BE BASED ON THE RATE OF PAY AND APPLICABLE PAY LIMITATIONS IN EFFECT ON DECEMBER 31, 2013. TENURE AS USED FOR 5 USC 3502 IS NOT APPLICABLE TO THE SENIOR EXECUTIVE SERVICE.											
46. Employing Department or Agency DEPARTMENT OF AGRICULTURE						50. Signature/Authentication and Title of Approving Official ELECTRONICALLY SIGNED BY: VILMA ALEJANDRO DIRECTOR, HUMAN RESOURCES DIVISION					
47. Agency Code AG 30		48. Personnel Office ID 4986		49. Approval Date 07/19/17							



**POSITION DESCRIPTION** (Please Read Instructions on the Back)

1. Agency Position No.

## 2. Reason for Submission

☐ Redescription☒ New☐ Reestablishment☐ Other

Explanation (Show any positions replaced)

## 3. Service

☒ Hdqtrs☐ Field

## 4. Employing Office Location

Washington, DC

## 5. Duty Station

Washington, DC

## 6. OPM Certification No.

DAE01709

## 7. Fair Labor Standards Act

☒ Exempt☐ Nonexempt

## 8. Financial Statements Required

☐ Executive Personnel☐ Financial Disclosure☐ Employment and☐ Financial Interest

## 9. Subject to IA Action

☐ Yes☒ No

## 10. Position Status

☐ Competitive☐ Excepted (Specify in Remarks)☒ SES (Gen.)☐ SES (CR)

## 11. Position Is

☐ Supervisory☒ Managerial☐ Neither

## 12. Sensitivity

☐ 1-Non-Sensitive☐ 3-Critical☐ 2-Noncritical☒ 4-Special

Sensitive

## 13. Competitive Level Code

## 14. Agency Use

## 15. Classified/Graded by

Official Title of Position

Pay Plan

Occupational Code

Grade

Initials

Date

a. Office of Personnel Management

b. Department, Agency or Establishment

Deputy Under Secretary for FNS

ES

0301

00

c. Second Level Review

d. First Level Review

e. Recommended by Supervisor or Initiating Office

## 16. Organizational Title of Position (if different from official title)

## 17. Name of Employee (if vacant, specify)

Brandon Lipps

## 18. Department, Agency, or Establishment

U.S. Department of Agriculture

## c. Third Subdivision

## a. First Subdivision

Office of the Secretary

## d. Fourth Subdivision

## b. Second Subdivision

Under Secretary for Food Nutrition and Consumer Services

## e. Fifth Subdivision

## 19. Employee Review-This is an accurate description of the major duties and responsibilities of my position.

## Signature of Employee (optional)

20. **Supervisory Certification.** I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that

this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.

## a. Typed Name and Title of Immediate Supervisor

Joby Young

Chief of Staff, OSEC

## b. Typed Name and Title of Higher-Level Supervisor or Manager (optional)

Signature

Date

Signature

Date

21. **Classification/Job Grading Certification.** I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.

## Typed Name and Title of Official Taking Action

Bobbie Farley,

Classification Officer, ERMD

Signature

BOBBIE  
FARLEYDigitally signed by  
BOBBIE FARLEY  
Date: 2017.06.13  
12:04:11 -04'00'

Date

## 22. Position Classification Standards Used in Classifying/Grading Position

**Information for Employees.** The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.

## 23. Position Review

Initials

Date

Initials

Date

Initials

Date

Initials

Date

Initials

Date

a. Employee (optional)

b. Supervisor

c. Classifier

## 24. Remarks

Schedule C position

Position requires TS

## 25. Description of Major Duties and Responsibilities (See Attached)

## Instructions for Completing Optional Form 8

### POSITION DESCRIPTION

In order to comply with the requirements of FPM Chapter 295, subchapter 3, and other provisions of the FPM, agencies must complete the items marked by an asterisk. Agencies may determine what other items are to be used.

- \*1. Enter position number used by the agency for control purposes.  
See FPM Chapter 312, Subchapter 3.
- \*2. Check one.
  - "Redescription" means the duties and/or responsibilities of an existing position are being changed.
  - "New" means the position has not previously existed.
  - "Reestablishment" means the position previously existed, but had been cancelled.
  - "Other" covers such things as change in title or occupational series without a change in duties or responsibilities.
  - **The "Explanation" section should be used to show the reason if "Other" is checked, as well as any position(s) replaced by position number, title, pay plan, occupational code, and grade.**
- 3. Check one.
- \*4. Enter geographical location by city and State (or if position is in a foreign country, by city and country).
- \*5. Enter geographical location if different from that of #4.
- 6. To be completed by OPM when certifying positions. (See Item 15 for date of OPM certification.) For SES and GS-16/18 positions and equivalent, show the position number used on OPM Form 1390 (e.g., DAES0012).
- \*7. Check one to show whether the incumbent is exempt or nonexempt from the minimum wage and overtime provisions of the Fair Labor Standards Act. See FPM Chapter 551.
- 8. Check box if statement is required. See FPM Chapter 734 for the Executive Personnel Financial Disclosure Report, SF 278. See FPM Chapter 735, Subchapter 4, for the Employment and Financial Interests Statement.
- 9. Check one to show whether Identical Additional positions are permitted. See FPM Chapter 312, Subchapter 4. Agencies may show the number of such positions authorized and/or established after the "Yes" block.
- 10. Check one. See FPM Chapter 212 for information on the competitive service and FPM Chapter 213 for the excepted service. For a position in the excepted service, enter authority for the exception, e.g., "Schedule A-213.3102(d)" for Attorney positions excepted under Schedule A of the Civil Service Regulations. SES (Gen) stands for a General position in the Senior Executive Service, and SES (CR) stands for a Career Reserved position.
- 11. Check one.
  - A "Supervisory" position is one that meets the requirements for a supervisory title as set forth in current OPM classification and job-grading guidance. Agencies may designate first-level supervisory positions by placing "1" or "1st" after "Supervisory."
  - A "Managerial" position is one that meets the requirements for such a designation as set forth in current OPM classification guidance.
- 12. Check one to show whether the position is non-sensitive, noncritical sensitive, critical sensitive, or special sensitive for security purposes. If this is an ADP position, write the letter "C" beside the sensitivity.
- 13. Enter competitive level code for use in reduction-in-force actions. See FPM Chapter 351.
- 14. Agencies may use this block for any additional coding requirement.
- \*15. Enter classification/job grading action.
  - For "Official Title of Position," see the applicable classification or job grading standard. For positions not covered by a published standard, see the General Introduction to "Position Classification Standards," Section III, for GS positions, or FPM Supplement 512-1, "Job Grading System for Trades and Labor Occupations," Part 1, Section III.
  - For "Pay Plan code, see FPM Supplement 292-1, "Personnel Data Standards," Book III.
  - For "Occupational Code," see the applicable standard; or, where no standard has been published, see the "Handbook of Occupational Groups and Series of Classes" for GS positions, or FPM Supplement 512-1, Part 3, for trades and labor positions. **For all positions in scientific and engineering occupations, enter the two-digit functional classification code in parentheses immediately following the occupational code, e.g., "GS-1310(14)."** The codes are listed and discussed in the General Introduction to "Position Classification Standards," Section VI.
- 16. Enter the organizational, functional, or working title if it differs from the official title.
- 17. Enter the name of the incumbent. If there is no incumbent, enter "vacancy."
- \*18. Enter the organizational location of the position, starting with the name of the department or agency and working down from there.
- 19. If the position is occupied, have the incumbent read the attached description of duties and responsibilities. The employee's signature is optional.
- \*20. This statement normally should be certified by the immediate supervisor of the position. At its option, an agency may also have a higher-level supervisor or manager certify the statement.
- \*21. This statement should be certified by the agency official who makes the classification/job grading decision. Depending on agency regulations, this official may be a personnel office representative, or a manager or supervisor delegated classification/job grading authority.
- 22. Enter the position classification/job grading standard(s) used and the date of issuance, e.g., "Mail and File, GS-305, May 1977."
- 23. Agencies are encouraged to review periodically each established position to determine whether the position is still necessary and, if so, whether the position description is adequate and classification/job grading is proper. See FPM Letter 536-1 (to be incorporated into FPM Chapter 536). This section may be used as part of the review process. The employee's initials are optional. The initials by the supervisor and classifier represent recertifications of the statements in items #20 and #21 respectively.
- 24. This section may be used by the agency for additional coding requirements or for any appropriate remarks.
- \*25. Type the description on plain bond paper and attach to the form. The agency position number should be shown on the attachment. See appropriate instructions for format of the description and for any requirements for evaluation documentation, e.g., "Instructions for the Factor Evaluation System," in the General Introduction to "Position Classification Standards," Section VII.



U.S. Department of Agriculture  
Office of the Secretary  
Immediate Office  
Under Secretary, Food, Nutrition, and Consumer Services  
Deputy Under Secretary for  
Food, Nutrition, and Consumer Services, ES-0301

I. NATURE AND PURPOSE OF WORK:

A. Introduction

The Office of the Secretary is the top organization in the Executive Branch for planning, development, implementation, and coordination of all agricultural programs administered by the Federal Government. The impact of these programs is both national and international as well as economic and social in the broadest scope. The Under Secretary of Agriculture for Food, Nutrition, and Consumer Services will supervise all activities of the Food and Consumer Service, coordinate functions related to nutrition policy and education, and will perform such other functions related to food, nutrition, and consumer services as may be assigned.

The incumbent serves as Deputy Under Secretary for Food, Nutrition, and Consumer Services and, as such, participates with the Under Secretary in the overall direction of the programs and activities under his/her jurisdiction.

B. Duties and Responsibilities

Although duties and responsibilities vary over time and in accordance with developing needs and problems, the following are representative of their scope, complexity, and importance;

1. Participates with the Under Secretary in advising and consulting with the Secretary and key associates, officials in the Budget Bureau, and the Office of Management and Budget, members of Congress and their staffs, representatives of other departments, and high ranking officials of USDA agencies administering the food, nutrition, and consumer services and related programs of the Department during the formulation and



development of the Department's food, nutrition, and consumer service policies, both short and long range.

2. Assists in program planning and coordination of the Department's food, nutrition, and consumer service program and activities. This includes participating in program planning with key agency and other officials of the Department to ensure coordination of effort; advising the Under Secretary of program and related considerations having bearing upon the planning, development, and administration of the Department's food, nutrition and consumer service programs; and undertaking highly confidential and complex assignments for the Under Secretary, the results of which might lead to major shifts in program direction.

3. Participates with the Under Secretary in correlating and presenting policy and program recommendations to the Secretary's policy group. These recommendations emanate from the agencies under the Under Secretary's direction, as well as from the other Under and Assistant Secretary or the Deputy Assistant Secretary. Directs the conduct of necessary high level studies and analyses to provide a basis for adequately reviewing policy and program recommendations and advises the Secretary's policy group regarding the impact of proposed enlargements, revisions, and reorientations of Department food and consumer service programs upon overall Department policy.

4. Develops recommendations and advises the Under Secretary on actions necessary to foster integration of USDA food, nutrition and consumer service efforts with related activities of other public and private institutions. Provides recommendations for improved administration of the overall food, nutrition and consumer service efforts of the Department.

5. Assists in directing the food, nutrition and consumer service programs and activities of the Department. Develops recommendations and directs studies and analyses designed to assist in achieving short and long range goals in the light of changing requirements for services. Assures that these goals are coordinated within the Department and with other Departments conducting related and cooperative programs by working with the agency heads responsible for these programs.



6. Directs the conduct of important fact-finding studies and program analyses to bring about more effective administration of the programs falling within the purview of the Under Secretary.

7. Plans and carries out special assignments for the Under Secretary which must be conducted with a high degree of tact and discretion. These assignments can significantly influence the course of agency operating programs.

8. Serves as an intermediary and personal representative of the Under Secretary in relations with agency heads, with other representatives of the Secretary's Office, with top officials of other Departments, state officials, members of Congress, and similarly placed individuals on matters pertaining to program and policy interpretation and other significant matters.

9. Represents the Under Secretary at agency meetings, meetings of farm organizations, industry groups, state and local officials, and others.

10. Maintains continuous close liaison and contact with his/her counterparts and others in the Secretary's Office in the interest of moving toward the Secretary's goals on an "across the board" balanced front.

11. In the absence of the Under Secretary and as otherwise designated, serves as Acting Under Secretary for Food, Nutrition and Consumer Services.

#### C. Responsibility for the Work of Others

Participates in the overall direction and coordination of the Department's food, nutrition, and consumer service programs and activities through agency heads and other top officials.

Provides equal opportunity in employment for all subordinates, applicants, and hires; prohibits discrimination in employment based on race, color, religion, sex, national origin, age, or handicap condition; and promotes a full realization of equal employment through continuous affirmative actions within the work environment. When employees under direct supervision of the incumbent have been assigned specific EEO or Civil Rights functions and responsibilities, the incumbent is responsible for assuring adequate time, resources, and support for the



accomplishment of these duties.

## II. SCOPE AND EFFECT OF WORK:

The broad, varied, and complex programs and activities directed by the Under Assistant Secretary are national in scope and significance and have significant impact either directly or indirectly on all citizens as recipients of food, nutrition, and consumer services. The decisions which the incumbent renders on behalf of the Under Secretary form an integral part of the basic program management pattern of the Department. They may also contribute to changes and modifications in the Department's policies of the food and consumer service programs of the Department of Agriculture.

## III. SUPERVISION AND GUIDANCE RECEIVED:

The incumbent works under very general guidance of the Under Secretary for Food, Nutrition, and Consumer Services in accordance with his/her general viewpoints. He/she is also guided by applicable legislation, court decisions, and Congressional intent as expressed at hearings and in committee reports. The incumbent on his/her own initiative determines those matters on which he/she will take action.

## IV. MENTAL DEMANDS:

The problems reaching the Under Secretary for consideration and settlement are usually those that demands immediate decision and for which few, if any, precedents exist. The incumbent must be thoroughly familiar with the many and varying programs of the Department generally and the Food, Nutrition, and Consumer Service programs in particular. He/she must understand their objectives and must be able to represent the thinking of the Under Secretary regarding them without delay. He/she must be able to analyze a situation quickly and select the best solution. He/she must be versatile. A high sense of diplomacy is imperative. The demands on the Deputy Under Secretary may frequently be of an immediate or pressing nature.



**POSITION DESCRIPTION** (Please Read Instructions on the Back)

<b>2. Reason for Submission</b> <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Hdqtrs <input type="checkbox"/> Field <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other Explanation (Show any positions replaced)					<b>3. Service</b> <input checked="" type="checkbox"/> Hdqtrs <input type="checkbox"/> Field		<b>4. Employing Office Location</b> Washington, DC		<b>5. Duty Station</b> Washington, DC		<b>1. Agency Position No.</b> DAES98021	
<b>7. Fair Labor Standards Act</b> <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt					<b>8. Financial Statements Required</b> <input type="checkbox"/> Executive Personnel Financial Disclosure <input type="checkbox"/> Employment and Financial Interest			<b>9. Subject to IA Action</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
<b>10. Position Status</b> <input type="checkbox"/> Competitive <input type="checkbox"/> Excepted (Specify in Remarks) <input checked="" type="checkbox"/> SES (Gen.) <input type="checkbox"/> SES (CR)					<b>11. Position Is</b> <input type="checkbox"/> Supervisory <input checked="" type="checkbox"/> Managerial <input type="checkbox"/> Neither		<b>12. Sensitivity</b> <input type="checkbox"/> 1-Non-Sensitive <input type="checkbox"/> 3-Critical <input type="checkbox"/> 2-Noncritical Sensitive <input checked="" type="checkbox"/> 4-Special Sensitive		<b>13. Competitive Level Code</b>			
<b>14. Agency Use</b>												

15. Classified/Graded by	Official Title of Position	Pay Plan	Occupational Code	Grade	Initials	Date
a. Office of Personnel Management						
b. Department, Agency or Establishment	Administrator	ES	0301	00		
c. Second Level Review						
d. First Level Review						
e. Recommended by Supervisor or Initiating Office						

**16. Organizational Title of Position (if different from official title)**

**17. Name of Employee (if vacant, specify)**  
Brandon Lipps

**18. Department, Agency, or Establishment**  
U.S. Department of Agriculture

**a. First Subdivision**  
Office of the Secretary

**b. Second Subdivision**  
Under Secretary for Food Nutrition and Consumer Services

**c. Third Subdivision**  
Office of the Administrator, Food and Nutrition Services

**d. Fourth Subdivision**

**e. Fifth Subdivision**

**19. Employee Review**-This is an accurate description of the major duties and responsibilities of my position.

**Signature of Employee (optional)**

**20. Supervisory Certification.** I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.

**a. Typed Name and Title of Immediate Supervisor**  
L. Christopher Young, Deputy Chief of Staff

**b. Typed Name and Title of Higher-Level Supervisor or Manager (optional)**

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**22. Position Classification Standards Used in Classifying/Grading Position**

**Information for Employees.** The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.

**23. Position Review**

	Initials	Date	Initials	Date	Initials	Date	Initials	Date	Initials	Date
a. Employee (optional)										
b. Supervisor										
c. Classifier										

**24. Remarks**  
Schedule C position  
Position requires TS

**25. Description of Major Duties and Responsibilities (See Attached)**



**POSITION DESCRIPTION** (Please Read Instructions on the Back)

<b>2. Reason for Submission</b> <input type="checkbox"/> Redescription <input checked="" type="checkbox"/> New <input type="checkbox"/> Reestablishment <input type="checkbox"/> Other Explanation (Show any positions replaced)					<b>3. Service</b> <input checked="" type="checkbox"/> Hdqtrs <input type="checkbox"/> Field		<b>4. Employing Office Location</b> Washington, DC		<b>5. Duty Station</b> Washington, DC		<b>1. Agency Position No.</b> DAES98021						
					<b>7. Fair Labor Standards Act</b> <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt		<b>8. Financial Statements Required</b> <input type="checkbox"/> Executive Personnel Financial Disclosure <input type="checkbox"/> Employment and Financial Interest		<b>9. Subject to IA Action</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No								
					<b>10. Position Status</b> <input type="checkbox"/> Competitive <input type="checkbox"/> Excepted (Specify in Remarks) <input checked="" type="checkbox"/> SES (Gen.) <input type="checkbox"/> SES (CR)		<b>11. Position Is</b> <input type="checkbox"/> Supervisory <input checked="" type="checkbox"/> Managerial <input type="checkbox"/> Neither		<b>12. Sensitivity</b> <input type="checkbox"/> 1-Non-Sensitive <input type="checkbox"/> 3-Critical <input type="checkbox"/> 2-Noncritical Sensitive <input checked="" type="checkbox"/> 4-Special Sensitive								
<b>15. Classified/Graded by</b>		<b>Official Title of Position</b>				<b>Pay Plan</b>		<b>Occupational Code</b>		<b>Grade</b>		<b>Initials</b>		<b>Date</b>			
a. Office of Personnel Management																	
b. Department, Agency or Establishment		Administrator				ES		0301		00							
c. Second Level Review																	
d. First Level Review																	
e. Recommended by Supervisor or Initiating Office																	
<b>16. Organizational Title of Position (if different from official title)</b>						<b>17. Name of Employee (if vacant, specify)</b> Brandon Lipps											
<b>18. Department, Agency, or Establishment</b> U.S. Department of Agriculture						<b>c. Third Subdivision</b> Office of the Administrator, Food and Nutrition Services											
<b>a. First Subdivision</b> Office of the Secretary						<b>d. Fourth Subdivision</b>											
<b>b. Second Subdivision</b> Under Secretary for Food Nutrition and Consumer Services						<b>e. Fifth Subdivision</b>											
<b>19. Employee Review-</b> This is an accurate description of the major duties and responsibilities of my position.						<b>Signature of Employee (optional)</b>											
<b>20. Supervisory Certification.</b> I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.																	
<b>a. Typed Name and Title of Immediate Supervisor</b> L. Christopher Young, Deputy Chief of Staff of Operations						<b>b. Typed Name and Title of Higher-Level Supervisor or Manager (optional)</b>											
Signature _____ Date _____						Signature _____ Date _____											
<b>21. Classification/Job Grading Certification.</b> I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.						<b>22. Position Classification Standards Used in Classifying/Grading Position</b>											
Typed Name and Title of Official Taking Action Bobbie Farley, Classification Officer, ERMD						<b>Information for Employees.</b> The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemption from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.											
Signature _____ Date _____ BOBBIE FARLEY    Digitally signed by BOBBIE FARLEY Date: 2017.06.13 12:04:11 -04'00'																	
<b>23. Position Review</b>		<b>Initials</b>		<b>Date</b>		<b>Initials</b>		<b>Date</b>		<b>Initials</b>		<b>Date</b>		<b>Initials</b>		<b>Date</b>	
a. Employee (optional)																	
b. Supervisor																	
c. Classifier																	
<b>24. Remarks</b> Schedule C position Position requires TS																	
<b>25. Description of Major Duties and Responsibilities (See Attached)</b>																	

U.S. Department of Agriculture  
 Under Secretary for Food Nutrition and Consumer Services  
 Food and Nutrition Service  
 Office of the Administrator

Administrator  
 ES-0301-00

## INTRODUCTION:

The incumbent of this position serves as the Administrator of the Food and Nutrition Service (FNS) which is a major operating Agency of the U.S. Department of Agriculture (USDA). The efforts of the incumbent and the mission of the Agency are directed toward combating hunger among the Nation's low-income families.

This is a Schedule C excepted service position. The work requires a confidential relationship that implies intimate knowledge and support of the strategic goals and objectives of the President and the Secretary of USDA.

## MAJOR DUTIES AND RESPONSIBILITIES:

The Administrator is fully responsible for the overall planning, formulation, direction, administration and management of all programs, functions and activities that support the delivery of services and information required to accomplish the multi-faceted FNS mission.

The mission support responsibility encompasses organizational design, talent acquisition, development and retention, infrastructure acquisition, policy and program development and administration, financial management, information technology (IT), and civil rights program management, as well as Departmental and Congressional liaison, in compliance with applicable laws, regulations, mandates and Departmental guidance.

The Administrator supervises and directs subordinate Associate Administrators and ensures that they fulfill the programmatic responsibilities delegated to them. With the support of the Associate Administrators, the Administrator retains ultimate responsibility for the successful operation of these service and benefit delivery programs. These programs are as follows:

### Supplemental Nutrition Assistance Program:

Supplemental Nutrition Assistance Program (SNAP) is designed to increase the food purchasing power of low-income families, thereby improving the health of low-income families through better nutrition. The program is administered by State agencies under Federal oversight and with Federal monitoring. State agencies are responsible for certification and benefit issuance Functions. FNS is responsible for authorizing retailers to participate in the program.

SNAP operates through normal channels of trade to provide food to families in economic need of assistance. SNAP is an entitlement program in which anyone who meets the eligibility requirements, generally related to low household income as well as their expenses, will receive benefits. SNAP improves the health and nutrition of low income families and strengthens the national economy through its multiplier effect. Every \$5 in new SNAP benefits generates \$9 in total community spending, benefiting the grocery stores where the food was purchased, the distributors who

delivered the food, and ultimately the farmers who produced it.

#### Food Distribution Program:

Through the Food Distribution Program (FDP), FNS donates foods to various food program outlets—including schools and institutions participating in USDA's child nutrition programs, charitable institutions, food banks, summer camps for children, disaster relief agencies, and low income families on some Indian reservations and in the trust territories.

Commodities used in the program are purchased under special purchasing authority or acquired under price-support and surplus-removal legislation, and donated to program outlets through cooperating State agencies. The volume and variety of donated foods purchased under this legislation may fluctuate in relation to agricultural marketing conditions.

#### Special Supplemental Nutrition Program for Women, Infants, and Children

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides specified nutritious food supplements to low-income pregnant, breastfeeding, and post-partum women as well as to infants and to children up to their 5th birthday. All mothers and children who participate in the program are individually certified as "nutritional risks" because of nutritional need.

The supplemental foods provided to program participants contain nutrients--specifically high quality protein, iron, calcium, vitamin A and vitamin C--known to be lacking in the diets of persons considered nutritional risks. Competent professionals (physicians, nutritionists, nurses, and other health officials) determine if a person is in nutritional need - through a medical or nutritional assessment. The food packages provided by WIC are tailored to the dietary needs of individual participants.

The WIC Program provides money to participating State health departments or comparable State agencies. Indian tribes recognized by the Department of Health and Human Services may also act as State agencies. These agencies use Federal funds to provide food for WIC participants through local agencies and to pay for specified administrative and clinical costs, including those for nutrition education, a vital part of the WIC Program.

#### Commodity Supplemental Food Program:

The Commodity Supplemental Food Program (CSFP) provides nutritious foods to supplement the diets of low-income elderly individuals and pregnant, post-partum, or breastfeeding women, and infants and children less than 6 years of age. Eligible participants must meet income standards for benefits under existing Federal, State or local food, health, or welfare programs for low-income people.

Nutrition education is an essential part of the program. Each State is responsible for ensuring that its local agencies make nutrition education available to all adult participants and to parents or guardians of infant and child participants. Local agencies are also responsible for encouraging and directing participants to use health care services.

#### Child Nutrition Programs:

Six separate Child Nutrition Programs are administered by FNS - the National School Lunch Program (NSLP), School Breakfast Program (SBP), Child and Adult Care Food Program, Summer Food Service Program for Children (SFSP), Special Milk Program for Children (SMP), and the



Fresh Fruit and Vegetable Program. Although they are separate programs, they share a common goal to safeguard the health and well-being of the Nation's children.

These programs are authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966. The programs are designed to help all children.

In most instances, State educational agencies administer the programs. The Federal Government provides cash and donated food assistance to the States for those schools and child care institutions which meet the requirements of the individual programs:

National School Lunch Program (NSLP). Since 1946, NSLP has helped provide nutritious lunches to the Nation's school children. All public and nonprofit schools of high school level and under, as well as public and licensed, nonprofit, private residential child care institutions may participate in the programs. The NSLP serves about 32 million meals to school children each school day.

School Breakfast Program (SBP). The SBP, established by the Child Nutrition Act of 1966, offers children a nutritious breakfast of foods that are easily prepared at school. The program is especially important in improving students' diets, since many children, through no fault of their own, come to school without eating breakfast. Studies have repeatedly shown the direct correlation between good nutrition and performance in school. Today the program is available to all public and nonprofit private schools of high school level and under, as well as public and nonprofit, private residential child care institutions.

Child and Adult Care Food Program (CACFP). The CACFP provides nutritional benefits similar to those of the school food programs. It operates year-round in nonresidential institutions and facilities such as day care centers, Head Start centers, and family day care homes. Children in the program receive nutritious meals and snacks. FNS assistance in the form of cash reimbursement and commodity donations is tied to the volume of meals and the relative need of children served.

Summer Food Service Program for Children (SFSP). The SFSP bridges the gap in the school food programs by providing meals to children during extended school vacation periods. It generally operates during the summer when school is not in session.

Any public or nonprofit, private nonresidential institution may sponsor the program at sites in low-income areas.

Special Milk Program for Children (SMP). The SMP makes it possible for all children attending a participating school or institution that does not participate in the NSLP or SBP to purchase milk at a reduced price or receive it free, if they are eligible. Schools and institutions that participate in other Child Nutrition Programs may only participate in the SMP and receive reimbursement for each half pint of milk served under the program for children in half day kindergarten who do not have access to school meals.

Fresh Fruit and Vegetable Program (FFVP). The FFVP provides grants to states for the provision of fresh fruits and vegetables to children outside of the school meal service, e.g., a mid-morning or mid-afternoon snack. This program operates in a limited number of schools in each state.

## KNOWLEDGE REQUIREMENTS:

The incumbent must possess:

Executive ability to plan, direct and coordinate all activities in FNS programs, to formulate and implement policies and programs of FNS and to present operating plans and technical issues and proposals to officials of the highest level.

Ability to evaluate programs under his/her direction; anticipate and recognize significant issues, developments and trends, and make judgments in taking appropriate management actions.

Knowledge and skill through experience, and demonstrated ability in managerial concept and principles, to provide authoritative, direct guidance and leadership to staff to carry out the responsibilities of the programs. /

Skill in oral and written communication to perform contact and liaison functions necessary to develop and maintain mutually satisfactory relationships with other organizations and representatives of industry. A broad knowledge of the laws and regulations pertaining to food programs, and affects of regulations on government, industry and the public.

## SCOPE AND EFFECT OF WORK:

The programs of FNS are national in scope and of great significance. Their primary objectives are (1) to provide the opportunity for all members of low-income families to have a nutritious diet; (2) to provide the opportunity for all school children--low-income and non-low-income to have a nutritious diet; (3) to inform low income people of the importance of a healthy diet via participation in the nutrition assistance programs; and (4) to provide food for institutionalized persons, victims of disaster, and to military installations. Related objectives are to increase access to such the nutrition assistance programs and maintain the integrity of the programs as part of proper oversight and management of Federal programs.

Child nutrition activities have emerged from a provincial beginning to include (1) a set of integrated programs, keyed toward low-income children, providing equipment for food preparation, funds to help States provide supervision mid technical assistance, and breakfasts and lunches that are free or at substantially reduced prices; and (2) programs aimed at children of low-income families out of school, including those in pre-school programs, day care centers, settlement house, and summer camps.

The Food and Nutrition Service budget exceeds \$100 billion.

The SNAP budget estimate is approximately \$68.6 billion with an estimated 44 million participants per month.

The Administrator represents the FNS and the U.S. Department of Agriculture in testifying before Congressional Committees, and in developing and maintaining harmonious and cooperative relationships with other Federal, State and local agencies. The nature and scope of programs requires extensive contacts with members and committees of Congress, officials of national and State hunger and nutrition advocates, retailers, trade and service organizations, State Heads of Departments and private groups and organizations.

## RESPONSIBILITIES FOR THE WORK OF OTHERS:

The Administrator provides direction and leadership to five Associate Administrators (ES level), two Deputy Administrators (ES level), one Special Assistant (GS-14 level) and one Administrative Officer (GS-14 level). Assigns responsibilities, delegate's authority, determines operating policies, exercises general direction over the work, and is responsible for the review of operations to assure the attainment of program objectives. The Administrator is responsible for the overall executive, administrative and program processes in accomplishing the goals of the Agency. This includes responsibility for establishing the organizational framework; delegating authority and responsibility; establishing overall operating policies, priorities and procedures; establishing long and short-range plans and projects, allocating resources within broad budgetary guidelines and directing, coordinating and reviewing program operational and administrative management of the Agency and supports an Agency budget of over \$100 billion.

He/she provides equal opportunity in employment for all subordinates, applicants, and new hires; and prohibits discrimination in employment based on race, color, religion, gender, national Origin, age, disability, political affiliation, sexual orientation, and marital or family status.

## SUPERVISION AND GUIDANCE RECEIVED:

The Administrator, FNS reports to the Under Secretary for Food, Nutrition and Consumer Services. He/she has full authority to speak or act for the Agency and to determine its organization, policy and procedures, subject only to the overall approval of the Under Secretary.